

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re:

Chapter 13

Joseph F. Aragona *and* Muriel M. Aragona

Case No. 18-22770-rdd

Debtor.  
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**CREDITOR LOSS MITIGATION AFFIDAVIT**

I, Mark E. Cohen, Esq., being sworn, say:

I am not a party to this action, am over 18 years of age and maintain my law offices in Forest Hills, New York.

On August 27, 2018, I served a true copy of the financial packet and this “*Creditor Loss Mitigation Affidavit*”<sup>1</sup> upon the following parties via (first class mail, facsimile or email) at the following addresses:

Joseph F Aragona  
Muriel M. Aragona  
79 Wrexham Road  
Bronxville, NY 10708  
Debtors

Gary R. Gjertsen, Esq.  
Clair & Gjertsen, Esqs.  
4 New King Street, Suite 140  
White Plains, NY 10604  
Attorney for Chapter 13 Debtors

Pursuant to that request, the Debtor<sup>2</sup> must provide the following documents:

☒ A copy of the Debtor’s two (2) most recent federal income tax returns;

☒ A copy of the Debtor’s last two (2) paycheck stubs, proof of social security income, pensions, or any other income received by the Debtor;

Or, if Debtor is self-employed:

☒ A copy of the Debtor’s business’ two (2) most recent months’ profit and loss statements, setting forth a breakdown of the monthly business income and expenses *[for the months off]*;

☒ A copy of the mortgagee’s completed financial worksheet;

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<sup>1</sup> Italicized words in quotations indicate that there is a form by the same name on the Bankruptcy Court’s website. These forms shall be used whenever applicable.

<sup>2</sup> Unless otherwise provided herein, all capitalized terms are defined in the Southern District of New York’s Loss Mitigation Program Procedures. The Loss Mitigation Program Procedures’ definition of “Debtor” includes joint debtors.

☒ Proof of second/third party income by affidavit of the party, including the party's last two (2) paycheck stubs,

☒ Other (please specify):  
Hardship letter (signed)  
Three most recent bank statements (with all pages) for all checking and/or savings accounts in which any borrower has an interest  
Proof of homeowner's insurance  
Proof of occupancy (i.e. utility bill, etc.)  
Forms W-2, 1099 and K-1 for the most recent two (2) years  
IRS Form 4506-T or 4506T-EZ  
Current lease agreements for all rental income listed

Please be advised that Wilmington Savings Fund Society, FSB, not in its individual capacity but solely in its capacity as Owner Trustee of Matawin Ventures Trust Series 2017-4, c/o Kondaur Capital Corporation ("the Creditor"), designates the following person to be its Loss Mitigation contact:

Name: Cameron Belitz  
Title: Asset Manager  
Phone Number: 714-640-2654  
Email Address: CBelitz@Kondaur.com

Please be advised that the Creditor designates the following person to be its attorney for Loss Mitigation on this Loan.

Name: Mark E. Cohen, Esq.  
Firm: Mark E. Cohen, Esq.  
Phone Number: (718) 258-1500  
Fax Number: (718) 793-1627  
Email Address: mecesq@aol.com

Dated: Forest Hills, New York  
August 27, 2018

**MARK E. COHEN, ESQ.**  
By : /s/ Mark E. Cohen, Esq.  
Attorney for Secured Creditor  
108-18 Queens Boulevard  
4th Floor, Suite 3  
Forest Hills, New York 11375  
Telephone (718) 258-1500  
Our File No. K.052-814.NF